

IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
VIRGINIA

Alexandria Division

UNITED STATES OF AMERICA

v.

PAUL PARK

Defendant.

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Criminal No.: 1:08CR271-01
Honorable Gerald Bruce Lee

DEFENSE POSITION ON SENTENCING

COMES NOW PAUL PARK, Defendant in the above-styled case, by and
through Counsel, and hereby presents this Court with his position on sentencing.

On August 8, 2008, Mr. Park appeared before Your Honor and timely accepted
responsibility for his actions by submitting a guilty plea to Possession of a Firearm in
Furtherance of a Drug Trafficking Offense in violation of 18 U.S.C. Sec. 924(c), thereby
saving the government the time and expense of a trial.

According to his Presentence Report, this is a non-guideline offense and the Court
is required to sentence Mr. Park to a minimum of 5 years of incarceration. Mr. Park
agrees with this determination.

As the Court well knows, sentencing in federal courts is conducted pursuant to 18
U.S.C. Sec. 3553 (a), which reads in pertinent part that courts must consider “the nature
and circumstances of the offense and the history and characteristics of the defendant” and
then to impose only that punishment which “most effectively lessens the likelihood of
future crime, either by deterring others or incapacitating the defendant.” U.S.S.G. ch. 1,
pt. A, introductory cmt. 3. The guiding principle, however, is that a sentencing court

must impose only that sentence which is sufficient, but no greater than necessary, to accomplish the goals of the statute.

The goals of sentencing schemes in general- and the goals of the federal sentencing scheme in particular- speak of sentencing in terms of deterrence, incapacitation, rehabilitation, and just punishment. As the government set forth in its pleading, all of these goals can be achieved through the minimum sentence of 60 months in prison. Mr. Park agrees with the government on this. Therefore, Mr. Park asks the Court for a sentence of 60 months and to any other relief the Court deems appropriate.

Respectfully Submitted,
PAUL PARK
By Counsel

_____/S/_____
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CERTIFICATE OF SERVICE

I hereby certify that on the 4th day of December, 2008 I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following: Beth Gibson AUSA.

_____/S/_____
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